

HOUSE No. 3466

The Commonwealth of Massachusetts

PRESENTED BY:

Ruth B. Balsler

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to protect psychotherapy patients.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	

HOUSE No. 3466

By Ms. Balsler of Newton, a petition (subject to Joint Rule 12) of Ruth B. Balsler for legislation to protect psychotherapy patients. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act to protect psychotherapy patients.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 112 of the General Laws, as appearing in the 2010 Official
2 Edition, is hereby amended in section 65A by inserting after the first sentence the following new
3 paragraph:—

4 The division of professional licensure may, after a consent agreement between the parties
5 or after an opportunity for an adjudicatory hearing held pursuant to chapter 30A, assess and
6 collect a civil administrative penalty not to exceed \$1,000 for the first violation and a civil
7 administrative penalty not to exceed \$2,500 for a second or subsequent violation, upon a person
8 who, without holding the required license or fulfilling supervised experience for licensure under
9 the qualified supervision of a licensee, holds himself out to the public as a psychotherapist or
10 represents that the service he is offering is psychotherapy in violation of section 65F.

11 SECTION 2. Chapter 112 of the General Laws, as so appearing, is hereby amended by
12 inserting after section 65E the following new section:—

13 65F. No person shall hold himself out to the public by any title or description stating or
14 implying that they are a psychotherapist or represent to the public that the service he is offering
15 is psychotherapy, unless (a) he is currently licensed by the board of registration in medicine,
16 board of registration in nursing, board of registration of psychologists, board of registration of
17 social workers, or the board of registration of allied mental health and human services
18 professionals, and he is practicing within the scope of practice of such license or (b) he is a
19 student, intern or person fulfilling supervised experience for licensure in the above professions
20 under the qualified supervision of a licensee.

21 Any person who violates this section shall be punished by a fine of not more than \$1,000
22 for the first offense and by a fine of not more than \$2,500 for a second or subsequent offense.